

**IN THE UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF DELAWARE**

CRYSTALLEX INTERNATIONAL  
CORPORATION,

Plaintiff,

v.

BOLIVARIAN REPUBLIC OF  
VENEZUELA,

Defendant.

Case No. 17-mc-151-LPS

OI EUROPEAN GROUP B.V.,

Plaintiff,

v.

BOLIVARIAN REPUBLIC OF  
VENEZUELA,

Defendant.

Case No. 19-mc-290-LPS

**OI EUROPEAN GROUP B.V.'S JOINDER  
TO CRYSTALLEX INTERNATIONAL CORPORATION'S RESPONSE  
TO THE VENEZUELA PARTIES' MOTION TO EXTEND THE TOPPING PERIOD**

OI European Group B.V. (“OIEG”) respectfully submits this joinder in support of the response filed by Crystallex International Corporation [D.I. 1759] in opposition to the Venezuela Parties’ motion to extend the Topping Period [D.I. 1757] (the “Motion to Extend Topping Period”), and states as follows:

First, the Venezuela Parties have not identified any credible change in circumstances that would justify a deviation from the Court’s established sale schedule. Judge Rakoff’s May 20 ruling regarding the alter ego claims was not unexpected. Since at least December 2024, the Court has acknowledged the consensus that “[a]ll parties other than the Alter Ego Claimants apparently view the Alter Ego Actions as being meritless.” D.I. 1515 at 19. The Court declined to enjoin those actions, reasoning, in part, that sophisticated bidders were capable of assessing any associated risks and incorporating those risks into their bids. *See id.* The Court further declined to pause the sale process as requested by the Venezuela Parties to accommodate resolution of the alter ego and other claims. *See* D.I. 1647 (“Even assuming the Court accepts the pending recommendation, the Court is entirely unpersuaded that it should delay its process, to await potential rulings from other courts or for any other reason suggested in the motion.”). The Venezuela Parties are, yet again, simply reasserting arguments that the Court has already considered and rejected.

Second, the timing of the Venezuela Parties’ Motion to Extend Topping Period undercuts their position. Although Judge Rakoff issued his summary judgment ruling on May 20, the Venezuela Parties waited three days to file their motion, which they submitted on May 23, just one business day before the current Topping Period deadline (May 28). They offer no explanation for this delay. In the meantime, no bidder has sought additional time, and the Special Master, who remains in frequent contact with bidders, has not expressed any concern that participants need more time to assess the impact of the ruling.

Third, the Venezuela Parties' reliance on the possibility of a forthcoming written opinion is unpersuasive. Bidders were aware of the alter ego claims in the Southern District of New York and the likelihood of their dismissal well before the May 20 ruling. The absence of any bidder request for a deadline extension confirms that the market has already priced in the result.

For the foregoing reasons, and those stated in Crystallex's opposition, OIEG respectfully joins in the request that the Motion to Extend Topping Period be denied.

Dated: May 26, 2025

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